

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

THE UNITED STATES OF AMERICA,

Plaintiff,

Case No.: 15-cr-20201-04

v.

HON. MARIANNE O. BATTANI
United States District Judge

D4-BRANDON OWENS,

a.k.a. Little B

Defendant.

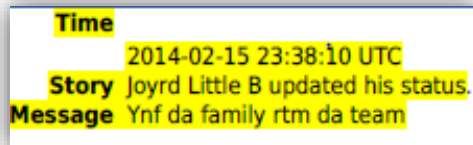
GOVERNMENT'S SENTENCING MEMORANDUM

Brandon Owens is a menace to society. He murdered a fellow gang member, was caught with a firearm three times (in a 12-month period), has a prior criminal record, and actively supports a violent street gang responsible for homicides, robberies, and other disturbing crimes. Most alarming is not that Mr. Owens is only 20 years old, but that neither court supervision nor committing the ultimate act of murder has remotely deterred him from continuing his criminal endeavors. There is only one alternative for a defendant who places such little value on life and has shown such little remorse—a lengthy term of incarceration. Therefore, the government recommends that the court sentence Mr. Owens to a term of incarceration of 240 months, followed by a three-year term of supervised release.

United States v. Brandon Owens, 15-cr-20201
Government's Sealed Sentencing Memorandum

STATEMENT OF FACTS

Related Through Money (“RTM”) is a criminal street gang that committed a sundry of crimes including murder, robbery, assault, illegal firearm possession, home invasion, carjacking, financial scams, and other offenses. RTM was an amalgamation of smaller gangs that unified in order to enhance the ability of the gangs to make money, defend territory, increase membership, and gain notoriety. Owens explained the relationship between RTM and his sub-group, YNF, well:



RTM claimed territory in northwest Detroit that gang members referred to as the “Skuddzone.” Members wrote gang-related graffiti on buildings in their territory, including markings such as “RTM da mob” or “RTM world.”



Owens in front of RTM graffiti



RTM graffiti at W. Chicago & Southfield

RTM members would defend this territory through acts of violence when others ventured into the “Skuddzone.” Owens, aka Joyrd Little B on Facebook, publicized this fact:

Time 2014-03-22 14:12:30 UTC
Story Joyrd Little B updated his status.
Message I see some lil niggas walking deep threw da skudd wen it get hot im shooting em

Owens was a prominent member of RTM. He openly admitted his membership in the gang, often boasting on social media regarding his involvement in the criminal enterprise. He frequently posted photos of himself on social media displaying RTM gang signs, posing with other gang members, and boasting about RTM activities. For example,

Time 2014-03-27 10:23:27 UTC
Story Joyrd Little B updated his status.
Message All my tattoos gang related S/o to da real mob



Owens with Deontay McDonald



Owens with Deonta Matthews



Owens with Meyer Thedford

Further, Owens was well aware of, and promoted, the criminal activities of RTM.

Time 2014-03-14 18:25:13 UTC
Story Joyrd Little B updated his status.
Message Ynf nigga most of my dawgs known for shooting

Time 2014-05-13 13:57:02 UTC
Story Joyrd Little B updated his status.
Message Rtm da mob put niggas down if dey bad mouthing

Time 2012-01-20 18:05:58 UTC
Story Joyrd Little B updated his status.
Message Just hit a lick so you no im bout to pro up we all got rollies not them g shock that glow up (joyrd lil b voice)

And displayed a particular distaste for those who cooperate with law enforcement.

Time 2014-04-28 22:24:33 UTC
Story Joyrd Little B updated his status.
Message Money is everything.. loyalty is all I know yu snitch yu die

Importantly, Owens' gang activities were not limited to boasting on social media or informally supporting the gang—he was a “shooter” himself. On March 22, 2013, Owens was at a party on Greenfield Road in Detroit with several other members of RTM. During the party, a physical altercation ensued between members of RTM and other individuals at the party. The altercation spilled out into the street on Greenfield and a crowd developed in front of the banquet hall. During the physical altercation, Owens pulled out a Smith & Wesson revolver from his waistband, pointed it toward the crowd, and fired.

The bullet struck Franklin Wallace in the back of the head, killing him.

Wallace was actually a member of RTM. He apparently stepped in front of Owens as Owens discharged the firearm. While the killing of Wallace was unintentional, the discharge of the firearm at head level into a crowd at a party was not. Simply put, Owens' actions constitute murder in the second degree.

Owens fled the scene of the murder and continued his criminal activities; his remorse, if any, was short-lived. About a month after killing Wallace, Owens and other members of RTM went to Cody High School in an effort to locate and intimidate students who were at the party and had witnessed Owens kill Wallace. Owens and the other gang members stood outside classroom windows boasting about RTM; Owens was brandishing a firearm toward the students, sending a loud and clear message.

Owens' murdering another person was not exactly unexpected; rather, it was in all likelihood just a matter of time. On April 2, 2012, Marcus Cole, aka Squid, shot RTM member Josh Moore in the face. Squid was a member of rival gang Band Crew. Thereafter, Cole was a marked man and was hunted by RTM. In a Facebook message on April 12, 2012, Owens stated that he just saw Cole in the neighborhood and that he would have shot and killed Cole but Theo (a fellow gang member) had his firearm.

Recipients Pnf Juke (1402436177)
 Joyrd Little B (1199428406)
Author Joyrd Little B (1199428406)
Sent 2012-04-13 15:15:10 UTC
Deleted false
Body Im not hip I seen squid but theo had my mag

Recipients Joyrd Little B (1199428406)
 Pnf Juke (1402436177)
Author Pnf Juke (1402436177)
Sent 2012-04-13 15:20:33 UTC
Deleted false
Body Damn you shouldve had that bitch he gotta die he gone bust josh then walk through the hood

Recipients Pnf Juke (1402436177)
 Joyrd Little B (1199428406)
Author Joyrd Little B (1199428406)
Sent 2012-04-13 15:24:46 UTC
Deleted false
Body hell yea I wouldve shot dat nigga I told theo earlier bring my shit squid aint dead because of theo on the team

Recipients Joyrd Little B (1199428406)
 Pnf Juke (1402436177)
Author Pnf Juke (1402436177)
Sent 2012-04-13 15:26:03 UTC
Deleted false
Body Lol theo be fucking up

A few weeks later Cole was in fact murdered by RTM leader Deonta Mathews.

Perhaps most remarkable is Owens' persistent possession of firearms. In his own words,

Time 2014-03-04 17:20:45 UTC
Story Joyrd Little B updated his status.
Message I love guns

On April 9, 2013, Owens ran from police when officers tried to approach him as he walked in the neighborhood. During the chase, Owens tossed a black handgun to the ground. Officers caught Owens and recovered the firearm, a .38 caliber Smith & Wesson. Subsequent ballistic testing revealed that this firearm was the murder weapon used in the shooting of Franklin Wallace.

On January 15, 2014, law enforcement officers stopped Owens as he walked through the neighborhood to see why he was not in school. During a pat-down, officers located a firearm in defendant's waistband, which had been stolen from a residence in Royal Oak six months prior. During an interview with police, Owens admitted his membership in RTM. At the time Owens was on probation for carrying a concealed weapon.

On May 13, 2014, law enforcement officers responded to a call of shots fired. Upon arrival at the scene, officers saw a car pull away and disregard a stop sign. Officers stopped the car and during the stop Owen exited the rear passenger door and fled. Officers pursued Owens and eventually arrested him. During the arrest, officers located a firearm in his waistband. The firearm was loaded with three live rounds and one spent shell casing. The other two individuals in the car with Owens were co-defendant Meyer Thedford and Josh Moore.

In sum, Owens was caught with a firearm in April of 2013, January of 2014, and May of 2014. This is simply astonishing, and criminal charges did little to dissuade Owens' conduct:

Time 2014-05-11 01:32:12 UTC
Story Joyrd Little B updated his status.
Message In make bond every time for dese petty as pistol cases

Even being investigated and arrested by the FBI did not deter Owens from involving himself in gang activity. The photo below is a snapshot from a video that Owens took and posted online *from the back of the police cruiser after he was arrested by the FBI on this Indictment.*



ADVISORY GUIDELINE RANGE

The parties' Rule 11 plea agreement calculated the advisory sentencing guideline range at 240 months. The probation department arrived at the same guideline range.

SECTION 3553(a) FACTORS

Through 18 U.S.C. § 3553(a) Congress has provided the relevant objectives and factors to be considered by sentencing courts in imposing a "sentence sufficient, but not greater than necessary." Those objectives are: (1) the nature and circumstances of the offense, and the history and characteristics of the defendant;

(2) the need for a sentence to reflect the basic aims of sentencing (including retribution, deterrence and rehabilitation); (3) the kinds of sentences legally available; (4) the Sentencing Guidelines; (5) Sentencing Commission policy statements; (6) the need to avoid unwarranted sentencing disparities among defendants with similar records who have been found guilty of similar conduct; and (7) the need for restitution. These factors support a sentence of 240 months' imprisonment. More particularly, a sentence of that length will reflect the seriousness of the offense, appropriately punish defendant, protect the public, and deter him (and others) from engaging in similar activity.

As discussed above, the conduct that led to defendant's current criminal conviction involved his active participation in a violent street gang. Defendant's criminal conduct encompassed dangerous and violent activities, which included murder, witness intimidation, and the illegal possession of firearms. The nature and circumstances of the offense warrants a sentence of 240 months.

Owens' criminal history does not improve upon the bleak picture that his participation in these violent crimes paints. Owens is 20 years old and has accumulated a lifetime of criminal history.

The April 9, 2013, arrest for illegal firearms possession led to Owens being charged with carrying a concealed weapon. He pleaded guilty to attempted carrying a concealed weapon and received three years of probation under the

Holmes Youthful Trainee Act. Defendant's time on probation was largely unsuccessful—he continued his gang related activities and did not comply with an alternative work program. Despite these violations, Owens was given second chances; eventually, Owens' status as a youthful offender was revoked after he pleaded to guilty to another firearm offense.

After the January 15, 2014, arrest for a firearm, Owens pleaded guilty to carrying a concealed weapon. He was sentenced to one year in jail and three years of probation. Defendant's probation on this case was closed on October 31, 2016, presumably due to the plea in the instant case.

Owens' criminal activity is not a new occurrence; rather his priors include two juvenile adjudications, one for home invasion and one for assault with a dangerous weapon. The assault incident stemmed from Owens, accompanied by several other RTM members, dispensing pepper spray on a school bus occupied by several students.

Notably, defendant was under court supervision during nearly all of his time as an RTM gang member. In other words, supervision by the court had zero deterrence for defendant's criminal conduct.

When one considers defendant's history and characteristics, the only reasonable conclusion is that Owens is a dangerous individual who will

undoubtedly continue his criminal activity. These facts also makes a sentence of 240 months appropriate.

In sum, given Mr. Owens' disturbing and violent conduct, including murder, coupled with his criminal history and inability to conform his actions to acceptable social norms, there is only one sentencing alternative: a lengthy term of incarceration. Given all of the circumstances, the prospect of defendant voluntarily deterring his criminal behavior in the future is essentially nil. Defendant is a significant danger to the community and the public must be protected.

In the end, Mr. Owens' recurrent and dangerous criminal conduct cannot be ignored, discounted, or rationalized. Considering the §3553(a) factors, the government recommends that the Court sentence defendant to a term of imprisonment of 240 months (as being sufficient but not greater than necessary), followed by a three-year term of supervised release. Mr. Owens himself predicted this very outcome:

Time 2014-03-22 14:56:59 UTC
Story Joyrd Little B updated his status.
Message My tattoos a get me 20 #rtm

Time 2014-03-13 17:48:36 UTC
Story Joyrd Little B updated his status.
Message Moral Of the story go down for sum real shyt fuck dem petty robberies sit down for sum real shyt

Respectfully submitted,

BARBARA L. MCQUADE
United States Attorney

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P58479

Dated: November 16, 2016

CERTIFICATE OF SERVICE

I hereby certify that on November 16, 2016, an employee of the United States Attorney's Office filed the attached document with the ECF system which will send notice to

Jeffrey Edison, attorney for Brandon Owens.

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